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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 JOAN S. DENNE,

18 Defendant.

No. CR 05-00228 WDB

STIPULATION AND ~~PROPOSED~~
ORDER FOR EXCLUSION OF TIME
UNDER THE SPEEDY TRIAL ACT, 18
U.S.C. § 3161 ET. SEQ.

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20 The parties in the above-captioned action stipulate and agree that the time from
21 July 1, 2005 to July 6, 2005 is excluded under the Speedy Trial Act, Title 18, United States Code,
22 Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). Specifically, the parties agree and stipulate that the
23 ends of justice are served and outweigh the best interest of the public and the defendant in a speedy
24 trial by excluding this time under the Speedy Trial Act for effective preparation by counsel to
25 investigate the potential for pretrial diversion in this case.

26 In addition, the parties stipulate and agree that the time between July 1, 2005 to July 6,

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STIPULATION AND ~~PROPOSED~~ ORDER
CR 05-00228 WDB

2005 for counsel to prepare this case for the foregoing reasons is a reasonable period of time, taking into account the exercise of due diligence.

SO STIPULATED.

DATED: June 28, 2005


DEBRA LEVINE
Counsel for Joan S. Denne

DATED: June 28, 2005


JAMES KEYLER
Assistant United States Attorney

ORDER

Based upon the reasons provided in the foregoing stipulation of the parties, the Court hereby FINDS that the time between July 1, 2005 to July 6, 2005 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv) on the grounds that the ends of justice are served and outweigh the best interest of the public and the defendant in a speedy trial by excluding this time under the Speedy Trial Act, and that this is a reasonable period of time necessary for the effective preparation of the case by counsel to investigate defendant's potential for pretrial diversion taking into account the exercise of due diligence.

Based on these findings, IT IS HEREBY ORDERED THAT the time from July 1, 2005 to July 6, 2005 is excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATED: July 5, 2005

/S/ WAYNE D. BRAZIL
WAYNE D. BRAZIL
United States Magistrate Judge